

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 8:23-cv-1616-SDM-AEP
8:22-cr-209-SDM-AEP

JOSE PALANCO PABON

_____ /

ORDER

Pabon moves under 28 U.S.C. § 2255 to vacate and for the writs of *audita querela* and *coram nobis* (Doc. 1) to challenge the validity of his conviction for conspiracy to possess with intent to distribute five kilograms or more of cocaine while aboard a vessel subject to the jurisdiction of the United States. The paper is a duplicate (other than the date of signing and the signature) of the pleading Pabon filed in 8:23-cv-1478-SDM-AEP, which was denied. (Doc. 2 in 23-cv-1478) The paper refers to neither the earlier action nor the order of dismissal, and based on the date of signing, Pabon prepared the duplicate paper before he received the order of dismissal in 23-cv-1478.

The motion to vacate and request for relief under *audita querela* and *coram nobis* (Doc. 1) is **DISMISSED**. The clerk must close this case.

ORDERED in Tampa, Florida, on August 4, 2023.



STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE